IN THE CLAIMS

Please amend the claims as follows:

1-12. (Canceled)

13. (Previously Presented) A communication device, comprising:

means for generating an RF (radio frequency) signal;

means for modulating the RF signal at one of a plurality of transfer rates, and for

modulating a received RF signal of another device by load modulation;

means for demodulating the RF signal load modulated by the another device, and for

demodulating a second RF signal provided to the communication device from the another

device;

means for detecting the second RF signal of the another device, the detecting being at

a level of a first threshold or greater,

wherein the means for generating is actuated upon an absence of the detecting to

initiate an active or passive mode communication, the active mode including the transmission

of modulated data at the communication device and the another device, the passive mode

providing load modulated communication from the another device to the communication

device, and, when the another device receives an indication of the active mode, the means for

detecting receives the data of the another device at a level of a second threshold or higher, the

second threshold being higher than the first threshold.

14. (Previously Presented) The communication device in accordance with Claim 13

further comprising:

means for setting the first and second threshold.

15. (Previously Presented) The communication device in accordance with Claim 13 wherein the RF signals are transmitted/received by a coil antenna.

16. (Currently Amended) A method of performing near field communication, comprising:

generating an RF (radio frequency) signal at a first communication device;

modulating the RF signal at one of a plurality of transfer rates, and [[for]] modulating a received RF signal of a second communication device by load modulation;

demodulating the RF signal load modulated by the second communication device, and [[for]] demodulating a second RF signal provided to the first communication device from the second communication device;

detecting the second RF signal of the second communication device, the detecting being at a level of a first threshold or greater,

wherein the generating is actuated upon an absence of the detecting to initiate an active or passive mode communication, the active mode including the transmission of modulated data at the first communication device and the second communication device, the passive mode providing load modulated communication from the second communication device to the first communication device, and, when the second communication device receives an indication of the active mode, the detecting receives the data of the second communication device at a level of a second threshold or higher, the second threshold being higher than the first threshold.

17. (Currently Amended) A tangible, computer readable storage medium encoded with computer program instructions, which when executed cause the computer to operate as a near field communication device implementing a method comprising:

generating an RF (radio frequency) signal;

modulating the RF signal at one of a plurality of transfer rates, and [[for]] modulating

a received RF signal of a second communication device by load modulation;

demodulating the RF signal load modulated by the second communication device, and

[[for]] demodulating a second RF signal provided to the first communication device from the

second communication device;

detecting the second RF signal of the second communication device, the detecting

being at a level of a first threshold or greater,

wherein the generating is actuated upon an absence of the detecting to initiate an

active or passive mode communication, the active mode including the transmission of

modulated data at the first communication device and the second communication device, the

passive mode providing load modulated communication from the second communication

device to the first communication device, and, when the second communication device

receives an indication of the active mode, the detecting receives the data of the second

communication device at a level of a second threshold or higher, the second threshold being

higher than the first threshold.